## Robert Alan Kemp, D/B/A: NEVADA CENTRAL RAILROAD

Executive Field Office: 9084 - East Arbab Court, Tucson, Arizona, 85747 Physical Operations Base: Tonopah Airport, Tonopah, Nevada

Aviation Technologies Lat., "ATL" PRINCIPAL PLACE OF BUSINESS: TONOPAU. ARPORT. NYE COUNTY, NEVADA

### Robert Alan Kemp

[ D/B/A: ]

# NEVADA CENTRAL RAILROAD

VIA - USPS and IMMEDIATE OFFICIAL FAX FILING

The Honorable Charles D. Nottingham, Chairman - STB.

The Honorable Ann K. Quinlan, Acting Secretary

Office of the Chairman and Secretary Surface Transportation Board

395 - E Street, SW.

Washington, DC 20423-000]

(Friday), October 31, 2008

ENTERED
Office of Proceedings

OCT 3 1 2008

By Emergency Fax Filing: (202) 245-0458 / 0461 / 0464 Public Record

RE:

Docket No.

AB-33 (SUB-No. 230X)

(Union Pacific Railroad Company)

[Notice of Intent to File: (MOTION TO STRIKE), the Reply by Union Pacific of October 21, 2008, on or before: Monday, November 10th., 2008,1

Concerning:

Union Pacific Railroad Company

- Abandonment Exemption -

Dear Chairman Nottingham, Secretary Quinlan:

I are writing today in relation to the (NCR) "Appeal" filed on September 29th., 2008, under Docket Number AB - 33 (SUB-No. 230X). Please now be advised that I: ROBERT ALAN KEMP. D/B/A: NEVADA CENTRAL RAILROAD, Intends to file Petitioner's IMOTION TO STRIKE the (Reply by Union Pacific of October 21st., 2008); on or before, Monday, November 10th., 2008, If You or Your Staff have any questions or comments, please feel free to contact me personally 24-7 at the following telephone number and/or email address. Please again be advised that Union Pacific Railroad Company ("UP"), has NOT Complied with the Boards Order to provide a Complete Condition Report along with Details Supporting Same, but has simply filed an Incomplete NLV with No Supporting Details, as well as a Simple Speed Chart. Petitioner/NCR has Never Received the Track/Right of Way Condition Report, as well as Maps, Diagrams, and or Copies of Titles and Deeds for property relating to the Right of Way subject to Abandonment, resulting to the unlawful decision by UP to Not Comply with the Boards Decisions, as well as the SEE Regulations within the OFA Process.

Very truly yours,

Robert Alan Kemp

D/B/A: **NEVADA CENTRAL** 

(775) 287-3681

normv@sol.com

Mr. John T. Digilio, Jr., Vice Chairman - Director/President, CC: Mr. Joseph Anthony McNulty, III - Director/Vice President.

Nevada Central Railroad Nevada Central Railroad

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Aviation Technologies Ltd., "ATL" PRINCIPAL PLACE OF BUSINESS: TONOPAH AIRPORT, NYE COUNTY, NEVADA

#### Robert Alan Kemp

[ D/B/A: ]

# **NEVADA CENTRAL RAILROAD**

RE: Docket No. AB-33 (SUB-No. 230X) (Union Pacific Railroad Company)

#### [CERTIFICATE OF SERVICE]

Concerning:

Union Pacific Railroad Company
- Abandonment Exemption -

I, Robert Alan Kemp certify that on this 31"., day of October, 2008, that I made service of the attached original NCR [Notice of intent to File: MOTION TO STRIKE the Reply by UP of October 21"., 2008] on or before: Monday. November 10"., 2008, upon the Surface Transportation Board, (STB), and have mailed a Single Copy of same to all Parties, in Proceeding: AB-33 (Sub - No. 230-X), by depositing same into the United States First Class Mail with prepaid postage, and also Directly to the STB via IMMEDIATE FAX DELIVERY FILING to: (202) 245-0458 / 0461 / 0464

Robert Alan Kemp

D/B/A: NEVADA CENTRAL RAILROAD

(775) 287- 3681, or email at: ncrnv@aol.com